

REMARKS

Claims 1-14 are pending in the application. Claims 1-14 are rejected. Claims 2, 4-7, 9 and 11-14 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, as discussed below, and to include all of the features of the base claim and any intervening claims.

CLAIM OBJECTIONS:

The Examiner objects to claim 8, line 15, because he asserts that the recitation of “the same as a first pair,” should read --the same as an interval between a first pair--. Applicants make this change and request withdrawal of the objection.

35 U.S.C. § 112:

Claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph, for the reasons the Examiner has set forth in §§ 1.1-1.4 of the Office Action.

In regard to § 1.1, the Examiner criticizes the use of the term “grasped portions,” because he asserts that it implies that the grasping structure is required in the claim. As noted in § 1.4 below, the Examiner raises a similar issue in regard to the grasping structure. Applicants positively recite the grasping device in the body of claims 1 and 8, which addresses the Examiner’s concern.

In § 1.2 of the Office Action, the Examiner questions the phrase “grasped portions of the first recording tape cartridge at a removal side of the library,” because the Examiner asserts that the library is not explicitly required by the claim. Applicants delete the phrase “at a removal side of the library,” from claims 1 and 8. In § 1.2 (a), the Examiner raises a similar issue in regard to

the phrase “near a removal opening of the library.” Applicants delete this phrase from claim 8 to address the Examiner’s concern.

In § 1.3 of the Office Action, the Examiner questions the feature of “the side walls” in claims 2 and 9. Claim 2 recites that the “grasped portions of the first recording tape cartridge have side walls which are continuous from rear surfaces from the concave portions...” This feature is drawn to include aspects of at least the exemplary embodiment of Figure 6, which shows side wall portions 66 and 67, which extend to an end of the tape cartridge and that are positioned beneath the overhang 68. To even further clarify the language of claim 2, this claim recites that “portions of the side walls of the case of the first recording tape cartridge extend from the concave portions.” A similar change is made to claim 9, such that the language is deemed sufficiently clear.

In § 1.4 of the Office Action, the Examiner focuses on claims 6 and 13 and asserts that the depth of the concave portions is defined in terms of a length of the claw portions of the grasping device. Applicants respectively submit that because the grasping device is now positively claimed, the Examiner’s concern noted in § 1.4 of the Office Action should be resolved.

35 U.S.C. § 102:

The Examiner found persuasive the arguments set forth in the previous Amendment. Claims 1, 3, 8 and 10 are now rejected under 35 U.S.C. § 102(b) as being anticipated by Staar (U.S. Patent No. 3,864,743). Staar discloses a chamber 8, which the Examiner asserts accommodates both a first 3 and a second 21 recording tape cartridge. Figure 1 of Staar shows

cartridge 3, and Figure 2 shows cartridge 21. In regard to the claimed grasp portions, the Examiner relies on the indented areas proximate the arrows in both Figures 1 and 2.

An exemplary feature of the present invention is to provide a structure in the form of a library that includes a plurality of accommodating chambers. Tape cartridges that are stored in the accommodating chambers are accessed by a grasping device.

As noted above, claims 1 and 8 explicitly set forth the grasping device. Also, claims 1 and 8 further clarify that the structure includes a plurality of accommodating chambers that are configured to accommodate both of the first recording tape cartridge and the second recording tape cartridge.

Rejections under 35 U.S.C. § 102(b) are proper only when the applied reference discloses each feature recited in the claims. Staar fails to disclose the unique combination of features set forth in claims 1 and 8. For example, Staar does not disclose a grasping device which is in proximity of the structure for holding the tape cartridges, in combination with the other claimed features, and does not disclose the unique combination of features as a whole. Further, Staar does not disclose a plurality of accommodation chambers, but instead discloses a single chamber 8, as shown in Figures 1 and 2 of Staar.

Accordingly, it is respectfully submitted that Staar fails to disclose each feature of claims 1 and 8, such that the rejection thereof under 35 U.S.C. § 102(b) should be withdrawn. The rejection of claims 3 and 10 should likewise be withdrawn at least by virtue of their respective dependencies upon claims 1 and 8.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

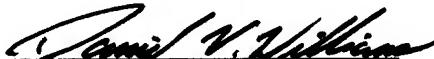
AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Patent Application No. 10/698,392

Q78054

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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